



Docket No. PU3514USW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Brown, Nathaniel A. et al.

SERIAL NO. 09/787,327

ART UNIT: 1617

FILED: April 20, 2001

EXAMINER: S. Jiang

FOR: Antiviral Combinations

Commissioner of Patents
Washington, D.C. 20231

March 31, 2003

Request for Continued Examination under 37 C.F.R. § 1.114

Sir:

Responsive to the Office Action mailed November 29, 2002, the following remarks are respectfully submitted in connection with a request for continued examination of the above-identified application.

Remarks

In an Office Action mailed November 29, 2002, claims 1, 2, 4 - 10, 12-15, 22 and 23 were rejected. Claims 1, 2, 4 - 10, 12 - 15, 22 and 23 are currently pending.

35 U.S.C. §103 (a) rejection

Claims 1, 2, 4 - 10 , 12 - 15, and 22 are rejected under 35 U.S.C. §103 as *prima facie* obvious over Korba and Glazier. Applicant respectfully traverse the rejection.

The Examiner asserted that "Berenbaum's reference is not seen to teach such a similar diagram to Fig. 1 and also not seen to teach data points falling below the line (the zero interaction line) indicated that the two drugs have synergistic effect." Applicants respectfully submit the enclosed reference by D.W. Selleseth et al., *Antimicrobial Agents and Chemotherapy*, Apr. 2003, Vol. 47, No. 4, p. 1468-1471, that refers to the Berenbaum reference on page 1468. The Selleseth reference

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